

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

POWER INTEGRATIONS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 04-1371-JJF
	)	
FAIRCHILD SEMICONDUCTOR	)	
INTERNATIONAL, INC., and FAIRCHILD	)	
SEMICONDUCTOR CORPORATION,	)	
	)	
Defendants.	)	

**DEFENDANTS' PROPOSED SPECIAL VERDICT FORM**

We, the jury, unanimously find as follows:

1. Do you find by a preponderance of the evidence that any Fairchild device(s) practices each and every element of any of the following claims of the '876 Patent either literally or under the doctrine of equivalents? (A "YES" answer to this question is a finding for Power Integrations. A "NO" answer is a finding for Fairchild.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 17: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 19: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

2. If you answered "YES" as to any claim(s) in question 1, do you find by a preponderance of the evidence that Fairchild has made, used, sold, or offered for sale the device(s) identified in response to question 1 in the United States or imported the device(s) identified in response to question 1 into the United States since October 20, 2004?

YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", identify the device(s) and what quantity: \_\_\_\_\_

3. If you answered "YES" to question 2, do you find by clear and convincing evidence that Fairchild's infringement of the claim(s) was willful? (A "YES" answer to this question is a finding for Power Integrations. A "NO" answer is a finding for Fairchild.)

YES \_\_\_\_\_ NO \_\_\_\_\_

4. Do you find by a preponderance of the evidence that any Fairchild device(s) practices each and every element of any of the following claims of the '851 Patent either literally or under the doctrine of equivalents? (A "YES" answer to this question is a finding for Power Integrations. A "NO" answer is a finding for Fairchild.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 2: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 4: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 10: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 11: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 13: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 16: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

5. If you answered "YES" as to any claim(s) in question 4, do you find by a preponderance of the evidence that Fairchild has made, used, sold, or offered for sale the device(s) identified in response to question 4 in the United States or imported the device(s) identified in response to question 1 into the United States since October 20, 2004?

YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", identify the device(s) and what quantity: \_\_\_\_\_

6. If you answered "YES" to question 5, do you find by clear and convincing evidence that Fairchild's infringement of the claim(s) was willful? (A "YES" answer to this question is a finding for Power Integrations. A "NO" answer is a finding for Fairchild.)

YES \_\_\_\_\_ NO \_\_\_\_\_

7. Do you find by a preponderance of the evidence that any Fairchild device(s) practices each and every element of any of the following claims of the '366 Patent either literally or under the doctrine of equivalents? (A "YES" answer to this question is a finding for Power Integrations. A "NO" answer is a finding for Fairchild.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 2: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 9: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 10: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 14: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 16: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

8. If you answered "YES" as to any claim(s) in question 7, do you find by a preponderance of the evidence that Fairchild has made, used, sold, or offered for sale the device(s) identified in response to question 7 in the United States or imported the device(s) identified in response to question 1 into the United States since October 20, 2004?

YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", identify the device(s) and what quantity: \_\_\_\_\_

9. If you answered "YES" to question 8, do you find by clear and convincing evidence that Fairchild's infringement of the claim(s) was willful? (A "YES" answer to this question is a finding for Power Integrations. A "NO" answer is a finding for Fairchild.)

YES \_\_\_\_\_ NO \_\_\_\_\_

10. Do you find by a preponderance of the evidence that any Fairchild device(s) literally practices each and every element of any of the following claims of the '075 Patent? (A "YES" answer to this question is a finding for Power Integrations. A "NO" answer is a finding for Fairchild.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

Claim 5: YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", which device(s): \_\_\_\_\_

11. If you answered "YES" as to any claim(s) in question 11, do you find by a preponderance of the evidence that Fairchild has made, used, sold, or offered for sale the device(s) identified in response to question 11 in the United States or imported the device(s) identified in response to question 1 into the United States since October 20, 2004?

YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", identify the device(s) and what quantity: \_\_\_\_\_

12. If you answered "YES" to question 11, do you find by clear and convincing evidence that Fairchild's infringement of the claim(s) was willful? (A "YES" answer to this question is a finding for Power Integrations. A "NO" answer is a finding for Fairchild.)

YES \_\_\_\_\_ NO \_\_\_\_\_

13. Do you find by clear and convincing evidence that any of the following claims of the '876 Patent are anticipated and therefore invalid? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 17: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 19: YES \_\_\_\_\_ NO \_\_\_\_\_

14. Do you find by clear and convincing evidence that any of the following claims of the '876 Patent are obvious and therefore invalid? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 17: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 19: YES \_\_\_\_\_ NO \_\_\_\_\_

15. Do you find by clear and convincing evidence that Power Integrations committed inequitable conduct during the prosecution of the '876 Patent, making all claims of the '876 Patent unenforceable? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

YES \_\_\_\_\_ NO \_\_\_\_\_

16. Do you find by clear and convincing evidence that any of the following claims of the '851 Patent are anticipated and therefore invalid? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 2: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 4: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 10: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 11: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 13: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 16: YES \_\_\_\_\_ NO \_\_\_\_\_

17. Do you find by clear and convincing evidence that any of the following claims of the '851 Patent are obvious and therefore invalid? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 2: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 4: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 10: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 11: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 13: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 16: YES \_\_\_\_\_ NO \_\_\_\_\_

18. Do you find by clear and convincing evidence that Power Integrations committed inequitable conduct during the prosecution of the '851 Patent, making all claims of the '851 Patent unenforceable? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

YES \_\_\_\_\_ NO \_\_\_\_\_

19. Do you find by clear and convincing evidence that any of the following claims of the '366 Patent are anticipated and therefore invalid? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 2: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 9: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 10: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 14: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 16: YES \_\_\_\_\_ NO \_\_\_\_\_

20. Do you find by clear and convincing evidence that any of the following claims of the '366 Patent are obvious and therefore invalid? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 2: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 9: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 10: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 14: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 16: YES \_\_\_\_\_ NO \_\_\_\_\_

21. Do you find by clear and convincing evidence that Power Integrations committed inequitable conduct during the prosecution of the '366 Patent, making all claims of the '366 Patent unenforceable? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

YES \_\_\_\_\_ NO \_\_\_\_\_

22. Do you find by clear and convincing evidence that any of the following claims of the '075 Patent are anticipated and therefore invalid? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 5: YES \_\_\_\_\_ NO \_\_\_\_\_

23. Do you find by clear and convincing evidence that any of the following claims of the '075 Patent are obvious and therefore invalid? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

Claim 1: YES \_\_\_\_\_ NO \_\_\_\_\_

Claim 5: YES \_\_\_\_\_ NO \_\_\_\_\_

24. Do you find by clear and convincing evidence that Power Integrations committed inequitable conduct during the prosecution of the '075 Patent, making all claims of the '075 Patent unenforceable? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

YES \_\_\_\_\_ NO \_\_\_\_\_

25. If you have found that Fairchild has infringed at least one asserted claim from any of the '851, '876, '366, and/or '075 Patents, and you have found that the claim is not invalid and the patent is not unenforceable, do you find by a preponderance of the evidence that Power Integrations suffered actual damages as a result of Fairchild's infringement? (A "YES" answer to this question is a finding for Power Integrations. A "NO" answer is a finding for Fairchild.)

YES \_\_\_\_\_ NO \_\_\_\_\_

26. If you answered "YES" to question 25, do you find by a preponderance of the evidence that Power Integrations has proven that it would have made additional sales within the United States since October 20, 2004 but for Fairchild's sale of the device(s) identified in response to questions 2 and 5? (A "YES" answer to this question is a finding for Power Integrations. A "NO" answer is a finding for Fairchild.)

YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", what is the amount of Power Integrations' lost profits from lost sales? \_\_\_\_\_

27. If you answered "YES" to question 25, do you find by a preponderance of the evidence that Power Integrations has proven that Fairchild's sale or offer for sale of the device(s) identified in response to questions 2 and 5 caused Power Integrations to lower its prices since October 20, 2004? (A "YES" answer to this question is a finding for Power Integrations. A "NO" answer is a finding for Fairchild.)

YES \_\_\_\_\_ NO \_\_\_\_\_

28. If you answered "YES" to question 27, do you find by a preponderance of the evidence that any loss caused by the lowered price was offset by an increase in volume at the lower price? (A "YES" answer to this question is a finding for Fairchild. A "NO" answer is a finding for Power Integrations.)

YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "NO", what is the amount of Power Integrations' lost profits from price erosion? \_\_\_\_\_

29. If you answered "YES" to question 25 but answered "NO" to questions 26 and 27, do you find by a preponderance of the evidence that Power Integrations has proven that it is entitled to a reasonable royalty on Fairchild's sale of the device(s) identified in response to questions 2, 5, 8, and/or 11?

YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is "YES", what is the amount of the royalty due to Power Integrations for Fairchild's sales in the United States since October 20, 2004?  
\_\_\_\_\_

You must each sign this Verdict Form: Dated: \_\_\_\_\_

\_\_\_\_\_ (foreperson)

\_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 25<sup>th</sup> day of May, 2006, the attached **DEFENDANTS'**  
**PROPOSED SPECIAL VERDICT FORM** was served upon the below-named counsel of  
record at the address and in the manner indicated:

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*/s/ John G. Day*

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John G. Day